

Permit ID S-00357 Part IX Rev Date 10/31/12
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**PART IX**  
**AREAS UNSUITABLE FOR MINING**

- A. Is any portion of the permit area within an area or contain an area designated unsuitable for surface mining activities under or under study for designation in an administrative proceeding under 25-3?

☐ YES ☒ NO

If "YES",

1. Describe the area and reason it is designated unsuitable for surface coal mining or is under study for designation:
2. Does the applicant contend that, for any portion of the permit area that is under study for designation or that has been designated under 312 IAC 25-3, he had made substantial legal and financial commitments for the operation under application prior to January 4, 1977?

☐ YES ☒ NO

If "YES", attach documents that demonstrate that claim as Attachment IX.A.2.

- B. Does the applicant propose to conduct surface mining activities within 300 feet of an occupied dwelling?

☐ YES ☒ NO

If "YES", submit as Attachment IX.B. either:

1. A written waiver from the owner of each occupied dwelling where mining activities are to be conducted within 300 feet providing the owner's consent to conduct surface coal mining operations within 300 feet of his structure, or
2. A demonstration that the applicant has valid existing rights to conduct surface coal mining activities within 300 feet of the dwelling.

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- C. Is the proposed permit area within 100 feet measured horizontally of the outside right-of-way of any public road?

☒ YES   ☐ NO

If "YES", show the location of and clearly label each public road on the Operations Map and submit as Attachment IX.C either:

See Map 6, Operations Plan.

1. A demonstration that the applicant has valid existing rights to conduct surface coal mining activities within 100 feet of the outside right-of-way for each road or road segment in question and clearly indicate those areas for which valid existing rights are claimed on the Operations Map, or

Not Applicable.

2. a. For each road complete the following:

Road Name or Number	Dates Affected		Right of Way Width	Within 100'	How Affected	
	From [Mo/Yr]	To [Mo/Yr]			Mine Thru	Relocate
Seven Hills Road	August 2011	July 2016	40'	X		
Schultz Road	August 2011	July 2016	40'	X		
Boonville-New Harmony Rd	August 2011	July 2016	40'	X		
Godeke Rd	August 2011	July 2016	40'	X		
Independence Rd	August 2011	July 2016	40'	X		
Millersburg Cemetary Rd	August 2011	July 2016	40'	X		
Greenbriar Rd	August 2011	July 2016	40'	X		
Wasson Rd	August 2011	July 2016	40'	X		

- b. Except for roads to be mined through or relocated, provide cross-sections showing the proposed operations to be conducted within 100 feet of the outside right-of-way of the public road that includes the right-of-way boundary, safety berms, highwalls, and other structures to be located within 100 feet of the road.

See Attachment IX.C.2.b.

- c. For those public roads to be mined through, relocated, or where operations are to be conducted within the right-of-way, submit as Attachment IX.C.2.c:

- (1). Approval from the appropriate County authority, or the Indiana Department of Transportation,
- (2). Plans for each relocated road and alternative route, or
- (3). Plans for each replacement of an existing road.
- (4). Provide a detailed description of the measures to be taken to protect the interests of the public and landowners affected, including the protection of public health and safety.

[To be submitted upon acquisition of closure agreements with the Warrick County Commission]

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- D. Are surface mining activities to be conducted within 300 feet of any public building, school, church, community or institutional building or public park?**

☐ YES ☒ NO

If "YES",

1. Submit documentation demonstrating that the applicant has valid existing rights to mine the coal in accordance with the proposed permit application as Attachment IX.D.1, and
2. Show the location of each structure or property on the Property Control Map and the Operations Map.

- E. Are any cemeteries located in or within 100 feet of the permit area?**

☐ YES ☒ NO

If "YES",

1. Show the location of each cemetery on the Environmental Resources Map and the Operations Map.
2. Are any surface mining and reclamation activities proposed within 100 feet of a cemetery?

☐ YES ☒ NO

If "YES", submit documentation demonstrating that the applicant has valid existing rights to mine the coal in accordance with the proposed permit application and a discussion of the measures to be taken to prevent mining impacts to the cemetery as Attachment IX.E.

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- F. Are any properties listed on the National Register of Historic Places, the Indiana State Register of Historic Sites and Structures, or any natural landmarks included in the National Register located within the permit area?**

☐ YES ☒ NO

If "YES",

- 1. Will the mining and reclamation activities adversely affect those properties?**

☐ YES ☐ NO

If "YES", submit as Attachment IX.F.1 either:

- a. Documentation demonstrating that the applicant has valid existing rights to mine the coal in accordance with the proposed permit application with a description of the measures to be utilized to minimize adverse impacts from surface mining and reclamation activities, or
  - b. A description of the measures to be implemented to minimize or prevent impacts from surface mining and reclamation activities and provide approval of the proposed activities from the Division of Historic Preservation and Archeology and any other federal, state or local agency with jurisdiction over the property.
- 2. For those properties that are listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures that would not be directly affected by the proposed mining and reclamation operations, describe the measures to be taken to prevent adverse impacts:**

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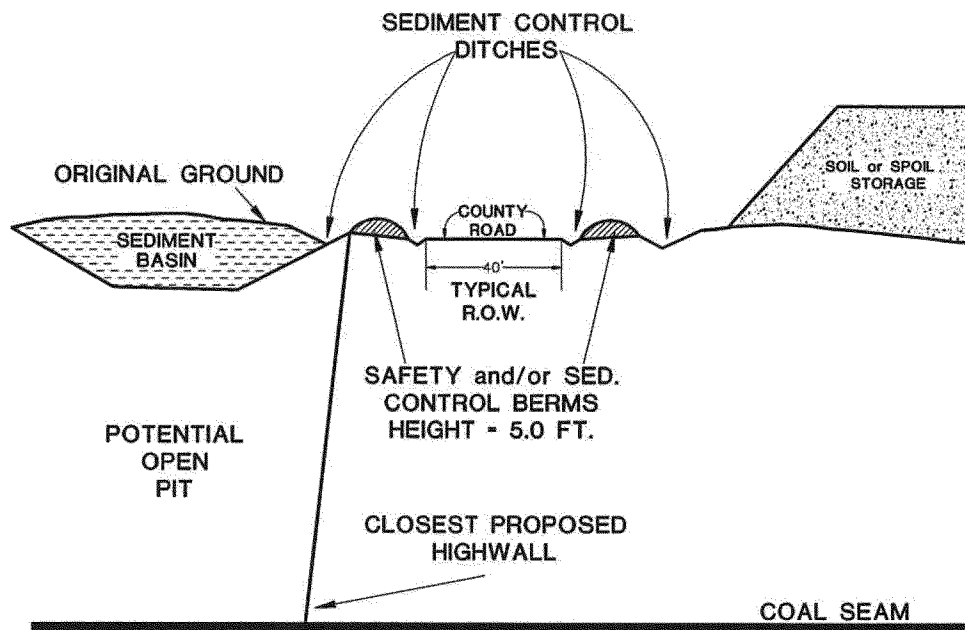
**Attachment List**

Attachment IX.C.2.b.

Typical Cross-Section: Operations Within 100' of Public Road

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# Typical Cross-Section, Operations Within 100' of Public Road



NOTE: COAL CRUSHING , HANDLING AND STORAGE , MANAGEMENT ACTIVITIES AND SHOP ACTIVITIES MAY ALSO OCCUR WITHIN 100 FEET.

[Drawing Not To Scale]